THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.10055 OF 1995

DATED: 12-09-2006

BETWEEN

Mrs. Kaiser Sayeed,
W/o.M.A.Kabir,
Occ: Head Mistress of Dr.S.Hussain Zaheer Memorial High School,
R/o.H.No.20-5-389, Shakargunj.

...PETITIONER

AND

The Correspondent,
Dr.S.Hussain Zaheer Memorial High School
As Convenor Science Society,
IICT Campus,
Hyderabad, and others.

...RESPONDENTS

ORDER:

Petitioner questions the order of the first respondent dated 13.04.1995 in appointing P.V.V. Satyanarayana, Controller of Administration, National Geophysical Research Institute, as presiding Officer to be present on behalf of the first respondent and in appointing one Dr. B.S. Sant as enquiring officer. The power of the first respondent alone is questioned and the enquiry officer and the presiding officer have not been impleaded as party respondents in the writ petition.

Counter has been filed stating that as the said Dr. B.R. Sant was unable to enquire into the matter another Retired District and Sessions Judge was appointed as enquiry officer and the retired District Judge enquired into the matter. The enquiry report has already been sent to the petitioner but the

petitioner has not submitted any reply.

It is stated that no final orders have been passed thinking that there is an interim direction of this Court.

However, in WPMP.No.12424 of 195 this Court only directed the respondent to pay the salary to the petitioner and in WPMP.No.12425 of 1995 notice alone was ordered but no interim order had been granted. As the enquiry itself is over and enquiry report has been submitted, it is open to the petitioner to challenge the enquiry report including the power and authority of the first respondent in appointing the enquiry officer.

In view of the subsequent events, this writ petition is dismissed with a liberty to the petitioner to question the report of the enquiry officer. No costs.

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V. ESWARAIAH, J

September 12, 2006
DSK